IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION CASE NO. 3:23-CV-497-FDW-DCK

TONYA T CHAPMAN,)
Plaintiff,)
v.) ORDER
KIRK J. ANGEL,)
Defendant.))

THIS MATTER IS BEFORE THE COURT on *pro se* Plaintiff's "Motion To Compel Admissions" (Document No. 14) filed February 22, 2024. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the motion and the record, the undersigned will <u>deny</u> the motion.

By the instant motion, it appears that *pro se* Plaintiff seeks to compel the production of responses to discovery requests served on Defendant in or about August or September 2023. (Document No. 14, p. 1). The undersigned notes that Defendant's pending "Motion To Dismiss" (Document No. 6) was filed on September 12, 2023. To date, a Case Management Order/Scheduling Order has not been entered in this case.

The Local Rules of this Court provide in pertinent part:

The parties may engage in consensual discovery at any time. However, Court-enforceable discovery does not commence until issues have joined and a Scheduling Order has been entered....

LCvR 16.1(f).

Based on the foregoing, the undersigned will respectfully deny Plaintiff's motion.

IT IS, THEREFORE, ORDERED that *pro se* Plaintiff's "Motion To Compel Admissions" (Document No. 14) is **DENIED**.

SO ORDERED.

Signed: February 23, 2024

David C. Keesler

United States Magistrate Judge